

NOV 19 2009

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

JOHN E. CORCORAN, CLERK  
BY: *S. Saylor*  
DEPUTY CLERK

JEFFREY HAIRSTON,  
Petitioner,

Civil Action No. 7:09-CV-00125

v.

ORDER

JEFFREY DILLMAN, WARDEN,  
GREEN ROCK CORRECTIONAL  
CENTER,  
Respondent.

By: Hon. James C. Turk  
Senior United States District Judge

In accordance with the accompanying Memorandum Opinion, it is hereby

**ADJUDGED AND ORDERED**

that Respondent's Motion to Dismiss (Dkt. No. 9) is **GRANTED**. Accordingly, Petitioner's 28 U.S.C. § 2254 Petition (Dkt. No.1) is **DENIED**. The Clerk of Court is directed to strike the matter from the court's active docket and to send a copy of this final order and accompanying memorandum opinion to Petitioner and counsel of record for the Respondent.

ENTER: This 19<sup>th</sup> day of November, 2009.

*James C. Turk*  
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Senior United States District Judge